

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

EDDIE F. MARSHALL, et al.,	:	
Plaintiffs,	:	CASE NO. C-1-02-189
	:	
vs.	:	JUDGE WEBER
	:	
OHIO DEPT. OF EDUCATION, et al.,	:	MAGISTRATE JUDGE HOGAN
Defendants.	:	

AMENDED NOTICE OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiffs Eddie Marshall, et al., and Defendants the Ohio Department of Education and Susan Tave Zelman hereby stipulate that the above-captioned action is dismissed without prejudice as to these named Defendants. This stipulated notice corrects the notice of dismissal previously filed by the parties on September 8, 2004.

*Approved
J. Weber
SUS
9/10/04*

Respectfully submitted,

/s/Joseph Bancsi (per telephone authority)
JOSEPH BANCISI (0025450)
Attorney for Plaintiffs
Lakeside Place, Suite 450
Cleveland, OH 44113
(216) 781-0111
(216) 781-6242
jb@bancsilaw.com

/s/Roger F. Carroll
Roger F. Carroll (0023142)
Trial Attorney for Ohio Dept. of Education
rcarroll@ag.state.oh.us
Mindy Worly (0037395)
mworly@ag.state.oh.us
Assistant Attorneys General
Education Section
30 East Broad Street, 16th Floor
Columbus, OH 43215
(614) 644-7250